

REPORT TO THE LEGISLATURE
Pursuant to P.A. 154 of 2005
Section 402
Electronic Tether Program

Section 402 of 2005 P.A. 154 requires that the Department of Corrections provide individual reports for the technical rule violator program, the community residential program, the electronic tether program, and the special alternative to incarceration program, including information on:

- Monthly new participants.
- Monthly participant unsuccessful terminations, including cause.
- Number of successful terminations.
- End month population by facility/program.
- Average length of placement.
- Return to prison statistics.
- Description of each program location or locations, capacity, and staffing.
- Sentencing guideline scores and actual sentence statistics for participants, if applicable.
- Comparison with prior year statistics.
- Analysis of the impact on prison admissions and jail utilization and the cost effectiveness of the program.

Electronic Tether / Monitoring Program

This report will focus on the offenders on electronic tether / monitoring. There are four broad offender types on electronic monitoring: probationers, prisoners, parolees, and contractual. Probationers and parolees may be further divided by whether they participated in the Special Alternative Incarceration (SAI) program or not. Electronic monitoring may have been imposed as an initial condition of sentencing or release; alternatively, electronic monitoring may have been imposed as a sanction for violation behavior. Prisoners serving sentences on electronic monitoring, considered part of the Community Residential Program (CRP), are included in this report and are not reported on in the separate CRP report.

The Electronic Monitoring Center is staffed 24 hours a day, 7 days a week, 365 days a year. Monitored probationers and parolees are assigned to and supervised by field agents throughout the State, but all monitoring of the equipment, alert processing and notification, and inventory control is managed through the Monitoring Center. The Center handles all Law Enforcement Information Network (LEIN) activity in the Department, due to their alert processing and notification responsibilities. The Center also contracts to provide monitoring services for Community Electronic Monitoring (CEM) and for the Regional Detention Services System (RDSS).

The program currently has sufficient equipment to handle approximately 3,000 offenders on monitoring. The program has been fully operational at that level in the past, but has seen considerable reduction in numbers since the implementation of the Truth-in-Sentencing

legislation, which has caused the number of prisoners in the CRP program to fall from around 1,500 prisoners on electronic monitoring to less than 100 recently.

Table 1 breaks down the new electronic monitoring participants by month and type of offender. In this report, tables in this format combine offender counts from two sources: Prisoner counts are from the Corrections Management Information System, which also provides more details for the prisoner only tables in this report, while the other offender counts are from the monitoring software's less detailed database.

Table 1 - New Electronic Monitoring Participants Monthly By Offender Type

	Prisoner		Parole		Parole SAI		Probation		Probation SAI		CEM		RDSS		Total	
	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005
Jan	93	29	107	113	46	39	385	350	50	53	85	98	51	46	817	728
Feb	68	32	84	94	32	40	342	312	47	22	106	81	49	39	728	620
Mar	79	28	108	114	33	35	444	379	32	41	111	94	52	47	859	738
Apr	73	39	108	83	43	31	403	333	51	33	118	74	54	56	850	649
May	70	35	96	119	47	47	385	333	50	27	94	69	63	62	805	692
Jun	67	18	103	106	57	51	416	377	44	52	112	67	67	67	866	738
Jul	68	23	81	87	47	35	332	318	46	31	100	65	57	48	731	607
Aug	102	25	113	123	57	29	334	360	50	27	104	88	68	73	828	725
Sep	55	22	97	128	46	34	359	322	43	34	96	95	61	48	757	683
Oct	54	24	78	80	32	26	367	251	43	41	97	90	70	67	741	579
Nov	37	13	99	79	52	44	336	273	45	30	87	78	55	78	711	595
Dec	42	20	97	73	39	25	315	268	28	32	82	63	39	55	642	536
Total	808	308	1,171	1,199	531	436	4,418	3,876	529	423	1,192	962	686	686	9,335	7,890
Avg	67.3	25.7	97.6	99.9	44.3	36.3	368.2	323.0	44.1	35.3	99.3	80.2	57.2	57.2	777.9	657.5

Tables 2 and 3 present, for prisoners only, active sentence information at the time of their admission to electronic monitoring. In 2005, the 308 new monitoring prisoners had 574 active sentences, with similar offense type percentages to the 2004 prisoners, but the offense type average terms and the minimum term group distribution shows a distinct shift to longer sentences. The details presented in these two tables are for individual active sentences only, since a composite or cumulative minimum term would obscure offense type information.

Table 2 - Minimum Term Groups for All Active Offenses at the Time of Admission to Electronic Monitoring - Prisoners Only

Minimum Term Groups*	2004		2005	
	Number	Percent	Number	Percent
0-12 Months	255	19.3%	103	17.9%
13-24 Months	713	53.9%	208	36.2%
25-36 Months	180	13.6%	95	16.6%
37-60 Months	129	9.8%	103	17.9%
61-120 Months	38	2.9%	56	9.8%
121+ Months	8	0.6%	9	1.6%
Life	0	0.0%	0	0.0%
Total Offenses	1,323	100.0%	574	100.0%

* These Minimum Terms represent individual active sentences and disregard consecutives.

**Table 3 - Offense Types for All Active Offenses at the
Time of Admission to Electronic Monitoring - Prisoners Only**

Offense Type	2004			2005		
	Number	Percent	Average Term*	Number	Percent	Average Term*
Nonassaultive	998	75.4%	27.8	420	73.2%	37.3
Drug	282	21.3%	23.5	132	23.0%	28.7
Assaultive	43	3.3%	29.5	22	3.8%	51.4
Total Offenses	1,323	100.0%	26.9	574	100.0%	35.9

* In months, these Average Terms represent individual active sentences and disregard consecutives.

Sentencing Guidelines (SGL) information has been captured in OMNI on a statewide basis since October of 2002 thus, 2003 is the first available, full year of the 1999 Legislative Sentencing Guidelines. Unfortunately, two-thirds of the sentencing dates for the 2005 new monitoring prisoners are from before 2003 and additional complications, such as, a mix of sentences with and without SGL data, and the change in handling of SGLs with regard to probation violations, make interpreting SGL sentencing characteristics dubious at this time. Regardless, Table 4 shows that all of the actual sentences agree with the SGL ranges, though this comparison is meaningless since it represents less than 2% of the sentences for new monitoring prisoners.

**Table 4 - Comparison of Actual Sentence with SGL Range for
New Electronic Monitoring Participants - Prisoners Only**

Actual Sentence vs. SGL Range	2004		2005	
	Number	Percent	Number	Percent
Below Range	0	0.0%	0	0.0%
Within Range	8	100.0%	8	100.0%
Above Range	0	0.0%	0	0.0%
Total with SGLs	8	0.6%	8	1.4%
Unknown SGLs	1,315	99.4%	566	98.6%
Total Offenses	1,323	100.0%	574	100.0%

Table 5 returns to the combined offender type format and shows the monthly electronic monitoring terminations by offender type. Across all of the offender types, successful completions occurred in 63.4% of the 2005 terminations. Prisoners had successful electronic monitoring completions in 67.6% of the 2005 prisoner terminations, down slightly from 69.6% in 2004. Successful prisoners stayed on electronic monitoring for an average of 174.2 days in 2005, up from 150.1 days in 2004. Prisoners who unsuccessfully terminated electronic monitoring stayed for an average of 134.1 days in 2005, longer than the average 86.7 days to fail in 2004. Below are typical reasons for unsuccessful terminations on electronic monitoring:

- Administrative terminations occur when the offender is unable to continue for reasons beyond their control, such as, loss of home placement, hospitalized, or commitment to a treatment program.
- Failure to pay for tether services
- Substance abuse violations
- Curfew violations
- Tampering with tether device

- Escape or abscond violation
- New felony

Table 5 - Monthly Electronic Monitoring Terminations by Offender Type

	Prisoner		Parole		Parole SAI		Probation		Probation SAI		CEM		RDSS		Total	
	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005
Jan	77	50	84	97	41	39	430	350	58	49	112	91	63	59	865	735
Feb	69	43	101	81	36	46	342	324	45	34	96	97	51	36	740	661
Mar	65	45	109	105	45	44	416	323	73	36	105	82	54	50	867	685
Apr	65	50	103	113	36	31	397	356	51	37	103	91	41	46	796	724
May	81	47	108	113	49	50	387	373	48	34	91	77	65	61	829	755
Jun	87	36	119	113	33	44	406	361	41	35	124	79	66	67	876	735
Jul	79	21	97	109	41	33	348	329	58	40	105	63	61	54	789	649
Aug	58	21	100	98	49	34	406	353	46	42	121	70	64	54	844	672
Sep	67	23	110	95	53	30	359	356	41	31	101	79	60	65	791	679
Oct	84	28	83	101	38	33	341	332	41	36	83	84	59	48	729	662
Nov	74	24	86	101	43	36	349	323	55	28	90	96	53	70	750	678
Dec	63	25	99	79	58	33	366	308	38	26	95	71	48	64	767	606
Total	869	413	1,199	1,205	522	453	4,547	4,088	595	428	1,226	980	685	674	9,643	8,241
Avg	72.4	34.4	99.9	100.4	43.5	37.8	378.9	340.7	49.6	35.7	102.2	81.7	57.1	56.2	803.6	686.8

The monthly new monitoring participants, monthly monitoring terminations, and average lengths of stay resulted in the end of month electronic monitoring populations shown in Table 6.

Table 6 - End of Month Electronic Monitoring Populations by Offender Type

	Prisoner		Parole		Parole SAI		Probation		Probation SAI		CEM		RDSS		Total	
	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005
Jan	282	180	248	235	110	118	1,266	1,139	158	104	150	154	115	105	2,329	2,035
Feb	281	168	242	235	106	106	1,286	1,128	162	106	157	140	110	104	2,344	1,987
Mar	295	151	246	235	89	106	1,307	1,128	128	97	162	139	109	105	2,336	1,961
Apr	303	140	260	231	102	96	1,355	1,186	133	101	210	142	132	123	2,495	2,019
May	292	128	229	252	96	100	1,327	1,159	133	94	178	134	130	119	2,385	1,986
Jun	272	110	239	224	122	105	1,350	1,124	134	105	194	114	133	98	2,444	1,880
Jul	260	112	199	199	128	106	1,291	1,118	118	100	166	108	116	99	2,278	1,842
Aug	303	116	209	220	136	106	1,222	1,128	112	85	144	128	119	115	2,245	1,898
Sep	291	115	196	248	133	99	1,216	1,088	110	88	147	145	118	97	2,211	1,880
Oct	261	111	191	218	124	86	1,224	1,018	115	96	160	141	130	131	2,205	1,801
Nov	223	99	206	202	134	97	1,222	954	101	96	160	127	137	122	2,183	1,697
Dec	202	93	218	188	118	118	1,165	904	98	101	162	117	121	119	2,084	1,640
Avg	272.1	126.9	223.6	223.9	116.5	103.6	1,269.3	1,089.5	125.2	97.8	165.8	132.4	122.5	111.4	2,294.9	1,885.5

Return to prison statistics measure a parolee's outcome at the conclusion of a standard follow-up period, however, this is not a relevant measure for most electronic monitoring participants. Return to prison is only relevant for prisoners, parolees, and parolees from SAI. Table 7 replicates a portion of the table of recidivism rates reported to the Legislature in response to *Section 411 of 2005 P.A. 154* by using a flat two year follow-up period and found that offenders paroled in 2003 had a Total Failure Rate of 46.6% (Absconds 16.7%, Technical Violators 16.7%, and New Sentence Violators 13.2%). New electronic monitoring participants (prisoners, parolees, and parolees from SAI) for 2003 are the most recent participants that can have a two year follow-up period, however, they would have paroled from a mixture of years from 2003 and earlier. Thus, these new participants for 2003 will have a failure rate that averages the recidivism rates for paroles in 2003 and earlier.

Table 7 - (portion of) Two-Year Follow-Up Outcomes of Offenders Who Paroled in 1998 to 2003 by Year

Year Paroled	Total Cases	Success Total	Failure Total	Absconds	Technical Violators	New Sentence
2001	9,591	53.3%	46.7%	11.2%	23.0%	12.6%
2002	10,254	52.7%	47.3%	15.9%	18.1%	13.3%
2003	10,987	53.4%	46.6%	16.7%	16.7%	13.2%

See MPRI Monthly Status Report, Addendum No. 15, Table 1 at www.michigan.gov/documents/03-01-06_MPRI_Monthly_Report_Addenda_151972_7.pdf

Electronic monitoring of offenders impacts jail utilization by preserving jail beds for offenders that pose a more serious risk to the public. Electronic monitoring provides the Courts with an option that falls between probation and jail and additionally provides a sanction for noncompliant probationers. Electronic monitoring impacts prison admissions by diverting eligible parole violators who would otherwise be returned to prison as technical violators.

The Electronic Monitoring Center operates at:
1305 S. Washington
Lansing, MI

2005 Staffing:

Parole Probation Manager 3	1.0	Parole Probation Manager 2	1.0
Departmental Supervisors	3.0	Departmental Analyst 12	1.0
Departmental Technicians	27.0	Secretary 9	1.0
General Office Assistants	2.0		

Total Electronic Monitoring Center Staff 36.0